IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WP(C).No. 927 of 2007(I)

PETITIONER:

SHEMY K.V.,
MADATHIL HOUSE, POST MUNDALUR,
KANNUR DITRICT, 670622.

BY ADV. SRI.ABRAHAM VAKKANAL
SRI.PAUL ABRAHAM VAKKANAL
SRI.BIJIMON C.CHERIAN

RESPONDENTS:
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1. **KERALA PUBLIC SERVICE COMMISSION,**
   REPRESENTED BY THE SECRETARY,
   K.P.S.C. OFFICE, PATTOM, THIRUVANANTHAPURAM.

2. **SMT.SONA C.P.,**
   PUTHIYAPURAYIL, P.O.KADACHIRA,
   PIN. 670 621, KANNUR DISTRICT.

BY ADV. SRI.ALEXANDER THOMAS (SC)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/09/2007, ALONG WITH W.P.(C).No.33764/2006 & W.P.(C). No.27633/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE M.SC DEGREE CERTIFICATE OF THE PETITIONER.

EXT.P1(a): COPY OF THE M.SC. MARK LIST OF THE PETITIONER.

EXT.P2: COPY OF THE B.Ed. DEGREE CERTIFICATE OF THE PETITIONER.

EXT.P2(a): COPY OF THE B.Ed. MARK LIST OF THE PETITIONER.

EXT.P3: COPY OF THE SET CERTIFICATE OF THE PETITIONER.

EXT.P4: COPY OF NOTIFICATION FOR SELECTION TO POST OF (MATHS-JUNIOR) IN VHSE DEPARTMENT.

EXT.P5: COPY OF HALL TICKET ISSUED TO PETITIONER.

EXT.P6: COPY OF SHORT LIST PUBLISHED.

EXT.P7: COPY OF CALL LETTER ISSUED TO PETITIONER.

EXT.P8: COPY OF RANK LIST PUBLISHED.

EXT.P9: COPY OF PSC CIRCULAR No.12/95.

EXT.P10: COPY OF REPORT PUBLISHED IN MATHRUBHUMI THOZHILVARTHA

EXT.P11: COPY OF PETITION SENT BY PETITIONER TO 1ST RESPONDENT.

EXT.P12: COPY OF REPORT PUBLISHED IN MATHRUBHUMI DAILY.

EXT.P13: COPY OF PETITION SENT BY PETITIONER TO THE 1ST RESPONDENT.

TRUE COPY

P.A.TO JUDGE

S.SIRI JAGAN,J

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W.P.(C).No.33764 of 2006

&

W.P.(C).Nos. 927 & 27633 of 2007

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Dated this the 19th day of September 2007

JUDGMENT

Petitioners in these writ petitions are challenging the procedure adopted by the Public Service Commission in adding percentage of marks in qualifying examinations to the marks obtained by candidates in the written test and interview, in the matter of selection to the post of Higher Secondary School Teachers. According to them that procedure is arbitrary and violation of the fundamental rights of the petitioner. This exact question has been considered by a Division Bench of this Court in **Sajan N. Menon v. State of Kerala and others (2007(3) ILR Kerala Series 487)** and the Division Bench upheld the procedure adopted by the Public Service Commission in preparing rank list for teaching posts adopting the aforesaid procedure. The counsel in W.P.(C).No.33764/2006 submits that there is difference in syllabus applicable. I am not convinced

with this contention. In so far as, preparation of rank list for selection of teaching post such difference cannot have any bearing on method adopted by the Public Service Commission for selection in so far as in all these cases selection is to the post of Higher Secondary School Teachers, although in different subjects. Therefore, following the above said decision, I dismiss these writ petitions.

S.SIRI JAGAN, JUDGE

dvs